

Chairman Lowell Johnson called the regularly scheduled meeting to order at 10:04 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present.

#### GENERAL ADMINISTRATION

Notice was duly published February 22, 2006 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held February 28, 2006 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Tuesday, February 28, 2006:

NUSF-52      Commission Hearing Room, Lincoln.  
1:30      In the Matter of the Commission, on its own motion, seeking to require Acceris Communications Corporation, San Diego, California, to Show Cause as to why its Certificate of Public Convenience and Necessity should not be revoked and should not be assessed administrative penalties. Commissioner Rod Johnson presiding as Hearing Officer.

#### COMMUNICATIONS DEPARTMENT

AD-335r      In the Matter of United Recovery Systems, LP, of Houston, Texas, seeking authority to connect an automatic dialing-announcing device: Motion made by Commissioner Jerry Vap, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

AD-336      In the Matter of Pioneer Interstate Marketing of Omaha, Omaha, seeking authority to connect an automatic dialing-announcing device: Motion made by Commissioner Jerry Vap, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

AD-337r      In the Matter of CitiFinancial, Inc., Baltimore, Maryland, seeking authority to connect an automatic dialing-announcing device: Motion made by Commissioner Jerry Vap, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

AD-338r      In the Matter of CitiFinancial, Inc., Baltimore, Maryland, seeking authority to connect an automatic dialing-announcing device: Motion made by Commissioner Jerry Vap, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3304      In the Matter of Touchtone Communications, Inc., Whippany, New Jersey, seeking authority to operate as a reseller and common carrier of telecommunications services within the state of Nebraska. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order of pending dismissal. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3529      In the Matter of Reliant Communications, Inc., Lake Mary, Florida; Lisa Crawford, Lake Mary, Florida; and Robert Sorrentino, Burlington, New Jersey, seeking a transfer of control: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3535/  
PI-111      In the Matter of the Commission, on its own motion, seeking to establish procedures for the treatment of commercial agreements not subject to the filing requirements of § 252 of the Telecommunications Act of 1996: A 30-day extension to file comments was discussed. Commissioner Landis was appointed as Hearing Officer.

C-3554/  
PI-112      In the Matter of the Commission, on its own motion, seeking to investigate whether the zones established in Docket C-2516 are appropriate in light of NUSF-26 findings and conclusions: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order opening the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Don Gray informed the Commission that on February 24, 2006 the Federal Communications Commission (FCC) released an Order and Fifth Further Notice of Proposed Rulemaking (FCC 06-14) granting Nebraska authority to implement mandatory thousands block number pooling in rate centers outside the top 100 MSA's in the 402 Numbering Area. Four other states received similar authority in this order and the FCC has asked for comment on providing all other states similar authority. Commissioner Landis recommended that a Progression Order in docket C-3049 be prepared to implement the pooling consistent with authority delegated to Nebraska by the FCC order.

COMMUNICATIONS DEPARTMENT (Cont.)

DC-71/ In the Matter of Maurice Gene Hand, Director, Communica-  
NUSF-53 tions Department, and Jeffrey L. Pursley, Director,  
Universal Service Fund Department, Complainants, v. Qwest  
Corporation, Respondent: Gene Hand informed the Commission of the  
status of the docket.

UNIVERSAL SERVICE FUND

NUSF-50 In the Matter of the Commission, on its own motion, seeking  
PO #2 to make adjustments to the universal service fund mechanism  
established in NUSF-26: Motion made by Commissioner Lowell  
Johnson, seconded by Commissioner Frank Landis, to enter an order  
seeking comments. Comments will be due on or before April 27, 2006.  
Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank  
Landis and Jerry Vap voting AYE.

DC-71/ In the Matter of Maurice Gene Hand, Director, Communica-  
NUSF-53 tions Department, and Jeffrey L. Pursley, Director,  
Universal Service Fund Department, Complainants, v. Qwest  
Corporation, Respondent: This item was discussed under the Com-  
munication's Department agenda.

E911 DEPARTMENT

PSAP- In the Matter of Colfax County, Schuyler, seeking approval  
015.2 of funding for recurring and non-recurring costs of Wire-  
less E-911 implementation: Motion made by Commissioner  
Jerry Vap, seconded by Commissioner Frank Landis to enter an order  
granting the application. Motion passed with Commissioners Anne  
Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting  
AYE.

PSAP- In the Matter of Cuming County PSAP, West Point, seeking  
GISD- approval of funding for development of GIS data: Motion  
008 made by Commissioner Jerry Vap, seconded by Commissioner  
Anne Boyle, to enter an order granting \$20,100 for base map  
development and MSAG comparison and \$5,400 for annual GIS maintenance.  
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod  
Johnson, Frank Landis and Jerry Vap voting AYE.

Kara Thielen informed the Commission of an E911 Advisory  
Board Meeting scheduled for March 13, 2006, at 1:00 p.m. in the  
Commission Library, Lincoln.

NATURAL GAS DEPARTMENT

NG-0033 In the Matter of RnD Energy, LLC, Boulder, Colorado, seeking authority as a competitive natural gas provider in the state of Nebraska. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

M-14189 In the Matter of David Patterson, dba Patt's Rental Center, Fremont, seeking authority as a common carrier of household goods over irregular routes between points in Dodge County: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Rate Division

MR-1009/ In the Matter of the Commission, on its own motion, seeking  
PI-70 to initiate an investigation on range uniformity in the  
Official Intracity Household Goods Tariff 22: A hearing  
was scheduled for April 11, 2006, at 1:45 p.m. in the Commission Hearing Room, Lincoln. Commissioner Vap was appointed Hearing Officer.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska  
Motor Carriers Association, Lincoln, seeking authority to  
establish a fuel surcharge in Nebraska Official Household Goods Tariff  
7-F: The fuel surcharge was retained at 54 cents per mile.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by  
Commissioner Rod Johnson, to approve the following Commission  
invoices. Motion passed with Commissioners Anne Boyle, Lowell  
Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

DAS - Communications	\$	3,602.03
HHS - Finance & Support		981.50
Nebraska Mediation Center Association		800.00
Jeffery Pursley		1,720.15
Gerald Vap		836.64

GENERAL ADMINISTRATION (Cont.)

There being no need to address any matters in closed session, the meeting adjourned at 10:35 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on March 7, 2006, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on March 6, 2006.

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Chairman

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Deputy Director